

Appl. No.: 10/510,924
Amdt. dated May 21, 2007
Reply to Office Action of March 8, 2007

REMARKS/ARGUMENTS

Claims 50-53, 55-56, 58-61, 64, and 68-80 are pending.

Claims 50-56, 58-61 and 64-80 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,510,382 to **Wideman** et al. in view of U.S. Patent No. 3,013,921 to **Jacobson**.

Interview Summary

The undersigned would like to thank the Examiner for her courtesy in conducting a telephone interview on March 17, 2007. The substance of the interview can be summarized as follows:

The invention as claimed relates to structures formed as a laminate of multiple plastic material film webs extending in different directions. In particular, the laminated material includes at least one longitudinally extending plastic material film web, and at least one spirally wound web that is spirally wound about the longitudinal web(s) in a plurality of windings transversely crossing the longitudinal web(s), the webs being at least partially adhered to one another to form the laminated material. Such laminated material can be formed in any desired length and with a substantial width dimension, and can be used for example as a liner for a pond or canal.

As the Examiner has acknowledged, Wideman discloses a laminated material made from multiple film webs, but the film webs all extend helically or spirally. Nothing in Wideman discloses or suggests a laminated material having at least one longitudinally extending plastic material film web and one or more spirally wound film webs as claimed.

Jacobson has been cited as providing a suggestion to modify Wideman to include at least one longitudinal web. However, Jacobson does not disclose or suggest a laminated material that includes any longitudinally extending film web. The problem addressed by Jacobson does not

even relate to the formation of a laminated material as claimed, nor does it relate to a laminated material as disclosed in Wideman. Rather, Jacobson is concerned with providing a *thread-reinforced* film web, and specifically is concerned with the difficulty of providing reinforcing *threads* (not *plastic material film webs*) that extend in the transverse direction. Jacobson notes that it is virtually impossible to lay such transverse threads onto a traveling film web because the mechanism traversing back and forth would have to move at tremendous speeds that cannot practically be achieved. Accordingly, Jacobson discloses a clever method for producing a continuous film web having transverse reinforcing threads.

At no point during Jacobson's production method is there ever any laminated material having a longitudinally extending film web and a spirally wound film web, or indeed any two film webs extending in different directions. Furthermore, it is not even apparent how any aspect of Jacobson's process could be applied to the very different process involved in Wideman.

As pointed out in the interview, for these reasons, it is submitted that a person of ordinary skill in the art would not have combined Wideman and Jacobson so as to arrive at the claimed invention.

Rejections Based on **Wideman** and **Jacobson**

Turning specifically to the various claims that have been rejected, Claim 50 requires a net or mesh material formed as a tube from a plurality of longitudinal webs that are laterally spaced and interconnected by at least one spirally wound web formed into longitudinally spaced windings transversely disposed to the longitudinal webs. As apparent from the previous discussion, neither Wideman or Jacobson discloses such a net or mesh material. No combination of these references would have suggested the claimed material. Accordingly, Claim 50 is submitted to be patentable.

Claim 52 has been amended to incorporate the features of Claim 54, and Claim 54 has been canceled. Claim 52 as amended is directed to a dam, pond or canal liner formed as a tube by a liner material being spirally wound in overlapping layers of at least one plastic film web,

and one or more webs extending in a longitudinal direction transverse to said spirally wound overlapping layers, with said layers being adhered to one another. As apparent from the previous discussion, neither Wideman or Jacobson discloses such a net or mesh material. No combination of these references would have suggested the claimed material. Accordingly, Claim 52 is submitted to be patentable.

Independent Claim 59 is directed to a flexible laminated material formed as a tube and having at least one first flexible plastic material film web generally parallel to the longitudinal axis and at least one second flexible plastic material film web spirally wound in a plurality of windings transversely crossing the first film web, with the webs being at least partially adhered to one another. As apparent from the previous discussion, neither Wideman or Jacobson discloses such a tubular laminated material. No combination of these references would have suggested the claimed material. Accordingly, Claim 59 is submitted to be patentable.

Independent Claim 74 is directed to a flexible laminated material formed as a tube by at least one first flexible plastic material film web extending in a first direction, and at least one second plastic material film web having some self-adherent characteristics and being stretched in a lengthwise direction of the or each said second flexible plastic material film web beyond its yield point to increase its length and decrease its thickness, the or each said second plastic material film web being spirally wound in a plurality of windings transversely crossing said at least one first flexible plastic material film web, wherein the windings of said second flexible plastic material film web(s) are at least partially adhered to one another, and immediately adjacent said first and said second flexible plastic material film webs are at least partially adhered to one another, via the self-adherent characteristics of said second flexible plastic material film web(s). In addition to the previously noted reasons why Wideman and Jacobson fail to teach the claimed invention, it is also submitted that neither Wideman nor Jacobson provides any suggestion to include a spirally wound web with self-adherent characteristics as claimed. Thus, Claim 74 is patentable.

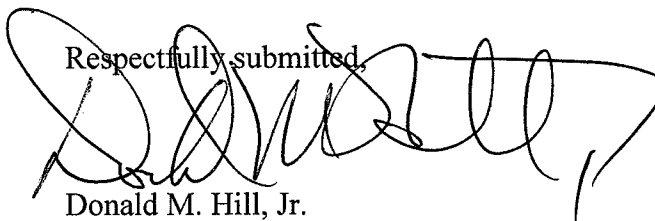
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Conclusion

In light of the foregoing amendments and remarks, Applicant respectfully submits that the objections and rejections are erroneous and/or have been overcome through amendment, and should be withdrawn, and that the application is in condition for allowance.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Donald M. Hill, Jr.', written over the typed name.

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